

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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SAMUEL M. ROBERTS,

Plaintiff,

-VS-

LOS ALAMOS NATIONAL SECURITY, LLC,  
AWE, PLC, and  
MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY,

Defendants,  
Third-Party Plaintiffs,

**UNIVERSITY OF ROCHESTER'S  
RESPONSE TO THIRD-PARTY  
PLAINTIFF LOS ALAMOS  
NATIONAL SECURITY, LLC'S  
DEMAND FOR DOCUMENTS**

**Civil Case No.: 11-cv-6206(L)**

-VS-

UNIVERSITY OF ROCHESTER,

Third-Party Defendant.

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Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and pursuant to the Local Rules of Civil Procedure of the United States District Court for the Western District of New York, Third-Party Defendant, University of Rochester ("UR") by its attorneys, Ward Greenberg Heller & Reidy, LLP, responds to Third-Party Plaintiff Los Alamos National Security, LLC's ("LANS") Demand for Documents (the "Demands"), as follows:

The production of any documents or information in response to the Demands and the responses set forth below are made without waiving or intending to waive:

- A. The right to object to the use of these responses or the admission at trial of any documents or things produced herein on any basis, including but not limited to competence, relevance, materiality, privilege, or admissibility;
- B. The right to object to the use of these responses or any documents or things produced herein in any subsequent proceeding or any other action;

**DEMAND NO. 3:**

The OMEGA Laser Facility Organization and Regulation Manual and the National Laser Facility User's Guide in force and effect at the LLE on the Date of the Incident.

**RESPONSE:**

Subject to and without waiving the General Objections, UR previously produced documents responsive to this Demand at Bates numbers UR 000088 – UR 000434.

**DEMAND NO. 4:**

The design, construction, assembly and installation documents utilized for the design, construction, assembly and installation of the Light-Pipe including, but not limited to, any preliminary drafts, change orders, modifications or adjustments prepared at any time prior to the actual installation and assembly of the Light-Pipe or after the initial installation.

**RESPONSE:**

Subject to and without waiving the General Objections, UR previously produced documents responsive to this Demand at Bates numbers UR 000001 – UR 000043 and will produce any other relevant, non-privileged documents responsive to this Demand.

**DEMAND NO. 5:**

All documents including purchase orders, bids, contracts and subcontracts concerning the sources and acquisition of all of the various parts and pieces of equipment utilized in connection with the Light-Pipe and its assembly including, but not limited to, the regulator, the CO2 container, the plates, screws and other parts utilized in connecting the Light-Pipe to the personnel platform in the Target Bay.

or the foregoing specific objection, UR will produce relevant, non-privileged documents responsive to this Demand.

Dated: April 18, 2012

WARD GREENBERG HELLER & REIDY LLP



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Eric J. Ward

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